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FROM: Christopher M. Tanner, Esq.

DATE: June 13, 2005

RE: Patent Application
PECAN TREE 'EXCEL' VARIETY
Our Reference: 969-001

NUMBER OF PAGES: 10 (including cover sheet)

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DRAFT

Attorney Docket No.: 969-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Andy Clough

Application No.: 10/806,673

Filed: March 23, 2004

For: PECAN TREE 'EXCEL' VARIETY

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Maam:

In response to the Office Action of February 17, 2005, please consider the following.

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.